

HOUSE BILL 2523

By Turner M

AN ACT to amend Tennessee Code Annotated, Title 3,  
Chapter 15, to create the "Select Judicial  
Oversight Committee".

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 3, Chapter 15, is amended by adding Sections 2 through 10 of this act as a new part.

SECTION 2.

(a) In order to verify that the various judges throughout the judicial system are properly applying and enforcing all statutory requirements enacted by the general assembly and for purposes of determining whether legislation relative to the judicial system should be revised or enacted there is hereby created the select judicial oversight committee, hereafter referred to as "the committee."

(b) The committee shall be composed of eight (8) members, with four (4) members to be appointed by the speaker of the senate and four (4) members to be appointed by the speaker of the house of representatives, provided that only one (1) appointee from each house can be an attorney.

SECTION 3.

(a) The committee shall elect from its membership a chair, a vice chair, and such other officers as it considers necessary.

(b) The committee may also:

(1) Create subcommittees related to its purposes;

(2) Request that standing committees of the general assembly, the fiscal review committee, or other agencies study certain aspects of the judicial system and report to the committee;

- (3) Conduct hearings;
- (4) Employ staff, subject to the availability of funds;
- (5) Enter contracts for technical or professional services, subject to the availability of funds; the speaker of the senate and the speaker of the house shall jointly determine the qualifications and task or job descriptions of any consultant or other person contracted for services, and shall jointly select any such consultant or other person on behalf of the committee; and
- (6) Perform such other duties as are required.

#### SECTION 4.

(a) The committee shall meet at least quarterly and at the call of the chair. The first meeting of the committee shall be convened by the speaker of the senate.

(b) Members of the committee are entitled to be reimbursed for their expenses in attending meetings of the committee or any subcommittees thereof at the same rates and in the same manner as when attending the general assembly.

SECTION 5. The committee shall report on its activities to each member of the general assembly.

SECTION 6. It is the intent of this part to help ensure that the general assembly and the public can have confidence that the state judicial system is effective and efficient.

SECTION 7. The committee shall review regularly the following programs, functions and activities of the judicial system:

- ( ) The court of the judiciary.
- ( ) The administrative office of the courts.
- ( ) Any other matters considered material.

SECTION 8. The committee shall receive information and assistance from agencies of state government, as necessary.

## SECTION 9.

(a) When any bill is introduced in the general assembly that will impact or potentially impact upon any area within the scope of review of the committee, as set out in this part, the clerk shall at the same time such bill is referred to the appropriate standing committee, notify the chair of the oversight committee of such bill and transmit a copy of such bill to the oversight committee. For purposes of participating in the discussions and comments of the committee, the chair or the chair's designee of the appropriate standing committee shall be notified of the date, time, and location where the committee will meet to review legislation which has been assigned to the respective standing committee, and such chair or the chair's designee shall become an ex officio member of the committee when such legislation is considered by the committee.

(b) In order to efficiently execute the duties set out in this part, the committee shall review all bills transmitted to it as provided in subsection (a) and may attach committee comments to such bill prior to its consideration by the appropriate standing committee. The sole purpose of review by the committee shall be to assist the standing committee in its consideration of judicial-related legislation by providing appropriate background information on the bill or information concerning the impact of the bill on the judicial system. The committee shall make no recommendation concerning the passage of a bill it reviews nor shall it have the authority to prevent the consideration of the bill by the standing committee to which it is referred. The committee's review of all bills transmitted to it pursuant to subsection (a) shall be completed and the notification required in subsection (c) returned to the chair of the appropriate standing committee no later than four (4) weeks after a bill covered by the provisions of this section has first been introduced.

(c) Upon completion of the review process within the time limitation established in subsection (b), the chair of the committee shall send written notification to the chair of the appropriate standing committee indicating that the review process has occurred and that the bill

is ready for consideration by the standing committee. If the committee has prepared committee comments on a bill, such comments shall be attached to the notification to the chair. If the committee has reviewed a bill but has no committee comments, that shall be indicated in the notification to the chair. If a bill is referred to the committee for review but has not been reviewed within the time period set out in subsection (b), the chair shall notify the appropriate chair that the bill has not been reviewed but is ready for consideration by the standing committee.

#### SECTION 10.

(a) The committee created by this part will terminate at the adjournment of the regular session of the general assembly convened in 2010. The general assembly may continue the committee for two (2) years by appropriate action during the regular session.

(b) The respective speakers shall reappoint or appoint new members to the oversight committee for each subsequent regular session of the general assembly for the duration of the committee. Notwithstanding any provision of law to the contrary, this chapter shall not be construed to require the speakers to appoint more than one (1) member from any standing committee of the general assembly when making reappointments or appointments to any select committee statutorily created.

(c) The office of the comptroller of the treasury shall conduct a performance evaluation of the select judicial oversight committee prior to its termination.

SECTION 11. This act shall take effect upon becoming a law, the public welfare requiring it.